

RECEIVED

Zebulon Clark Whisler

Name
526897
Prison Number
ACCW
confinement
1400 W. 4th Ave.
Mailing address
Anchorage, Alaska, 99501
City, State, Zip

JUL 08 2024

CLERK, U.S. DISTRICT COURT
ANCHORAGE, AK

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF ALASKA

Zebulon Clark Whisler,
(Enter full name of plaintiff in this action)

Case No. 3:24-cv-00148-SLG
(To be supplied by Court)

Plaintiff,
vs.
Investigator Ramin Dunford,
Trooper Amy Bowen,
Trooper Michelyn Manrique(Grigg)
State of Alaska Division of State Troopers,

PRISONER'S
COMPLAINT UNDER
THE CIVIL RIGHTS ACT
42 U.S.C. § 1983

Defendant(s).
(Enter full names of defendant(s) in this action.
Do NOT use *et al.*)

A. Jurisdiction

Jurisdiction is invoked under 28 U.S.C. § 1333(a)(3).

B. Parties

1. Plaintiff: This complaint alleges that the civil rights of Zebulon Clark Whisler,
(print your name)
who presently resides at Anchorage Correctional Complex West,
(Mailing address or place of confinement)
were violated by the actions of the individual(s) named below.

Prisoner § 1983
- 1 PS01,
Nov. 2013

2. Defendants (Make a copy of this page and provide same information if you are naming more than 3 defendants):

Defendant No. 1. AST Investigator Ramin Dunford is a citizen of
(name)
Alaska and is employed as a Alaska State Trooper
(state) (defendant's government position/title)

This defendant **personally participated** in causing my injury, and I want **money damages**.

OR

The **policy or custom** of this official's government agency violates my rights, and I seek **injunctive relief** (to stop or require someone do something).

Defendant No. 2. Trooper Amy Bowen is a citizen of
(name)
Alaska and is employed as a Alaska State Trooper
(state) (defendant's government position/title)

This defendant **personally participated** in causing my injury, and I want **money damages**.

OR

The **policy or custom** of this official's government agency violates my rights, and I seek **injunctive relief** (to stop or require someone do something).

Defendant No. 3. Trooper Michelyn Manrique (Grigg) is a citizen of
(name)
Alaska, and is employed as a Alaska State Trooper
(state) (defendant's government position/title)

This defendant **personally participated** in causing my injury, and I want **money damages**.

OR

The **policy or custom** of this official's government agency violates my rights, and I seek **injunctive relief** (to stop or require someone do something).

REMINDER

You must exhaust your administrative remedies before your claim can go forward. THE COURT MAY DISMISS ANY UNEXHAUSTED CLAIMS.

2. **Defendants** (Make a copy of this page and provide same information if you are naming more than 3 defendants):

Defendant No. 4, State of Alaska Division of State Troopers _____ is a citizen of
(name)
Alaska _____, and is employed as a Department of Public Safety _____.
(state) (defendant's government position/title)

This defendant personally participated in causing my injury, and I want **money damages**.
OR

The policy or custom of this official's government agency violates my rights, and I seek **injunctive relief** (to stop or require someone do something).

Defendant No. 2, _____ is a citizen of
(name)
_____, and is employed as _____.
(state) (defendant's government position/title)

This defendant personally participated in causing my injury, and I want **money damages**.
OR

The policy or custom of this official's government agency violates my rights, and I seek **injunctive relief** (to stop or require someone do something).

Defendant No. 3, _____ is a citizen of
(name)
_____, and is employed as _____.
(state) (defendant's government position/title)

This defendant personally participated in causing my injury, and I want **money damages**.
OR

The policy or custom of this official's government agency violates my rights, and I seek **injunctive relief** (to stop or require someone do something).

*****REMINDER*****

You must exhaust your administrative remedies before your claim can go forward. THE COURT MAY DISMISS ANY UNEXHAUSTED CLAIMS.

C. Causes of Action (You may attach additional pages alleging other causes of action and facts supporting them if necessary. Make copies of page 5 and rename them pages 5A, 5B, etc. and rename the claims, "Claim 4," "Claim 5, etc.").

Claim 1: On or about 24 January 2009, my civil right to
Claim 1: On or about January 24, 2009, my civil right to
(Date)

Equal Protection Under the Law (14th Amendment)

(Medical care, access to the courts, due process, freedom of religion, free speech, freedom of association, freedom from cruel and unusual punishment, etc. List **only one** violation.)

was violated by Ramin Dunford

(Name of the specific Defendant who violated this right)

Supporting Facts (Briefly describe facts you consider important to Claim 1. State what happened briefly and clearly, in your own words. Do not cite legal authority or argument.)

Describe exactly what each defendant, by name, did to violate the right alleged in Claim 1.):

Ramin Dunford arrested me without any probable cause and had me transported to the Palmer Trooper Post. He remained at the place of my arrest to "keep an eye on" the vehicle that I was driving. He claims to have obtained a search warrant for my person. First off at this point of time it was very early in his investigation and no probable cause for an arrest was present. He only had an allegation of wrong doing and no evidence of any crime. A SART exam was underway but was far from over and did not produce any evidence that would validate her claim. Two female Troopers served the search warrant, and claimed to have been asked, and received the search warrant from Trooper Dunford. In none of Dunford's reports does he mention either asking the female troopers for help or mentions giving them the search warrant. In fact when asked about it in court he could not remember if he gave the warrant to the sift Sargent or left it on his desk. Either one of those would be very hard to do as he was at the bowling alley, where I was arrested, the entire time and did not get back to the Trooper Post until after the warrant was finished. So how did the females get a copy of the warrant? I was subjected to a humiliating search, with female troopers touching my genitals at the direction of Trooper Dunford. The use of females to do this is not allowed by almost any agency worldwide. A fact of which Dunford should have been fully aware and as the lead should not have allowed to happen. In fact when asked about this in court, and questioned if male officers would be allowed to do this to a female arrestee, he stated, "that's just common sense, that would never happen". So if males cannot do this to a female then how is it that females can do it to a male. That directly violates the, "equal protection under the law" clause in the 14th amendment. As the lead officer on this case he is directly responsible for the actions of the others involved. He also violated the 4th amendment in obtaining a warrant without probable cause. It needs to be noted that all of this was done under "COLOR OF LAW".

Claim 2: On or about January 24, 2009, my civil right to

(Date)

Equal Protection under the Law, 14th Amendment

(Medical care, access to the courts, due process, freedom of religion, free speech, freedom of association, freedom from cruel and unusual punishment, etc. List only one violation.)

was violated by Alaska State Trooper Amy Bowen

(Name of the specific Defendant who violated this right)

Supporting Facts (Briefly describe facts you consider important to Claim 2. State what happened briefly and clearly, in your own words. Do not cite legal authority or argument. Describe exactly what each defendant, by name, did to violate the right alleged in Claim 2.):

While at the Trooper Post in Palmer, Ak., Trooper Amy Bowen claims to have assisted Investigator Ramin Dunford in executing a search warrant on my person. That is interesting as Dunford was nowhere near the post at that time. In fact it is unclear as to how she got the warrant. I believe that this warrant was secured without probable cause, another violation of protection under the constitution. Trooper Bowen took photos of my genitalia and whole body. All totally unnecessary as at no time did anyone ask if I have showered or changed clothes, which I had done both. This would make their claims of looking for DNA a fabrication as a change of clothes and a shower would remove any DNA, thus by not asking, they photographed and touched me for no reason. I believe that the whole thing was done to try to intimidate me or make me act in a violent way so that they could trump up charges of resisting or assault on me. The entire 45-minute ordeal was unnecessary. As law enforcement she should have been fully aware that this type of behavior is considered against all regulations in almost all law enforcement agencies and most countries. In Police Misconduct Law and Litigation this is covered in many pages. There was no need for these two women to do what they did. There was no emergency, no useful evidence could be discovered by this and there were male officers present. This was all done under, "COLOR OF LAW" which is in itself a violation. This type of action is not allowed to be carried out against a female arrestee by male officers. Thus if male officers are not allowed to practice this behavior, then allowing female officers to do this to a male is a violation of the 14th amendment's equal protection clause.

Claim 3: On or about January 24, 2009, my civil right to

(Date)

Equal Protection under the Law, 14th Amendment

(Medical care, access to the courts, due process, freedom of religion, free speech, freedom of association, freedom from cruel and unusual punishment, etc. List **only one** violation.)

was violated by Alaska State Trooper Michelyn Manrique (Grigg)

(Name of the specific Defendant who violated this right)

Supporting Facts (Briefly describe facts you consider important to Claim 3. State what happened briefly and clearly, in your own words. Do not cite legal authority or argument. Describe exactly what each defendant, by name, did to violate the right alleged in Claim 3.):

While at the Palmer Trooper Post after being arrested without a warrant, Trooper Manrique did violate my right to equal protection under the law. She used the warrant as a means to touch private areas of my body. Using the warrant was a way to do this under "COLOR OF LAW".

In her report she mentions that DNA was collected by using a buccal swab. She fails to mention anywhere in her report that she also used 2 swabs and spent an extended time rubbing both swabs up and down on my penis, in a motion that could be described as masturbating me. She also used her hands to touch my penis several times to "pose" it for the camera as Trooper Bowen took several photos. This type of action would never be allowed between male Troopers and a female arrestee. Dunford even stated that fact in court. Therefore if males cannot do this to a female but females do it to a male, then that violates the equal protection clause. You can't have it both ways. In fact many law suits have been in court over this very issue, although most were for males touching or even viewing females, they set the precedence for the "equal protection under the law". A case for sexual assault by the Troopers could be made as they were in a position of authority and I have a learning disability.

Claim 3: On or about January 24, 2009, my civil right to

(Date)

Equal Protection under the Law, 14th Amendment

(Medical care, access to the courts, due process, freedom of religion, free speech, freedom of association, freedom from cruel and unusual punishment, etc. List **only one** violation.)

was violated by State of Alaska Division of Public Safety

(Name of the specific Defendant who violated this right)

Supporting Facts (Briefly describe facts you consider important to Claim 3. State what happened briefly and clearly, in your own words. Do not cite legal authority or argument. Describe exactly what each defendant, by name, did to violate the right alleged in Claim 3.):

As Ramin Dunford, Amy Bowen, Michelyn Manrique (Grigg), were employees of the State Of Alaska as Alaska State Troopers, it was the states responsibility to ensure that they had all been properly trained in their jobs, and thus the State is responsible for any misconduct or violation of laws and statutes that the before named individuals participated in. The state shares guilt of any violations performed by said individuals. This includes the acts themselves as well as any attempt to cover up said issues. When I requested a copy of the Troopers P&P I discovered that the entire section on interviews was missing from the book. I am wondering what was in there that they are trying to hide.

D. Previous Lawsuits

1. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action, or otherwise relating to your imprisonment? Yes No
2. If your answer is "Yes," describe each lawsuit.

a. Lawsuit 1:

Plaintiff(s): Zebulon Clark Whisler

Defendant(s): Curtis Vik, Ramin Dunford, Amy Bowen, M. Grigg

Name and location of court: Superior Court Palmer Alaska

Docket number: 3PA-11-848 Name of judge: Eric Smith

Approximate date case was filed: Jan. 2011 Date of final decision: 6-6-2011

Disposition: Dismissed Appealed Still pending

Issues Raised: Was moved to District Court by the Superior Court because it involves
Violation of Federal Constitutional Rights.

b. Lawsuit 2:

Plaintiff(s): Zebulon Clark Whisler

Defendant(s): Curtis Vik, Ramin Dunford, Amy Bowen, M. Grigg, State of Alaska

Name and location of court: District Court Anchorage Alaska

Docket number: 3:11-cv-00118-TMB Name of judge: Timothy M Burgess

Approximate date case was filed: _____ Date of final decision: _____

Disposition: Dismissed Appealed Still pending

Issues Raised: Not the proper time and format

3. Have you filed an action in federal court that was dismissed because it was determined to be frivolous, malicious, or failed to state a claim upon which relief could be granted?

Yes No

If your answer is "Yes," describe each lawsuit on the next page.

Lawsuit #1 dismissed as frivolous, malicious, or failed to state a claim:

a. Defendant(s): _____

b. Name of federal court _____ Case number: _____

c. The case was dismissed as: _____ malicious and/or _____ failed to state a claim

d. Issue(s) raised: _____

e. Approximate date case was filed: _____ Date of final decision: _____

f. Lawsuit #2 dismissed as frivolous, malicious, or failed to state a claim:

a. Defendant(s): _____

b. Name of federal court _____ Case number: _____

c. The case was dismissed as: _____ malicious and/or _____ failed to state a claim

d. Issue(s) raised: _____

e. Approximate date case was filed: _____ Date of final decision: _____

Lawsuit #3 dismissed as frivolous, malicious, or failed to state a claim:

a. Defendant(s): _____

b. Name of federal court _____ Case number: _____

c. The case was dismissed as: _____ malicious and/or _____ failed to state a claim

d. Issue(s) raised: _____

e. Approximate date case was filed: _____ Date of final decision: _____

4. Are you in imminent danger of serious physical injury? Yes No

If your answer is "Yes," please describe how you are in danger, without legal argument/authority: _____

F. Request for Relief

Plaintiff requests that this Court grant the following relief:

1. Damages in the amount of \$ 1,000,000.00
2. Punitive damages in the amount of \$ 800,000,000.00
3. An order requiring defendant(s) to Loss of job and all benefits
4. A declaration that _____
5. Other: I hereby waive my right to a jury trial.
6. _____

Plaintiff demands a trial by jury. X Yes _____ No

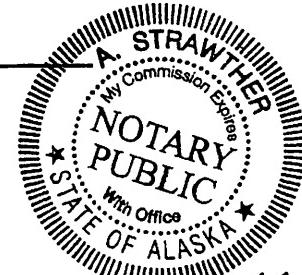
DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that s/he is the plaintiff in the above action, that s/he has read the above civil rights complaint and that the information contained in the complaint is true and correct.

Executed at Anchorage, Alaska on 8-15-23
(Location) (Date)

Zachariah Whipple

(Plaintiff's Signature)



Prisoner § 1983
- 10 PSO1,
Nov. 2013

Zebulon Whistler #526897
Anchorage Correctional Complex West
1300 E. 4th Ave
Anchorage, AK 99501



THIS LETTER WAS
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AN INMATE AT AN ALASKA JAIL
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United States District Court
District of Alaska
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222 W. 7th Ave. #4
Anchorage, AK 99513-7564

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